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PTO/SB/25 AND 26 (09-04) (MODIFIED)

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER PENDING APPLICATIONS**

Docket Number 043056

In re Application of: Masanori KANO et al.

Application No.: 10/519,077

Filed: August 15, 2005

For: PIGMENT DISPERSION COMPOSITION, USE THEREOF, AND COMPOUND FOR PIGMENT TREATMENT

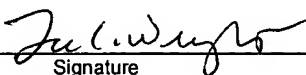
The owner*, **SAKATA INX CORP.**, of **100%** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending Application No. **10/507,012** as the term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said Application No. **10/507,012** may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending Application No. **10/507,012**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the Application No. **10/507,012** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said Application No. **10/507,012**, "as the term of any patent granted on said Application No. **10/507,012** may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending Application No. **10/507,012**", in the event that: any such patent: granted on the pending Application No. **10/507,012**: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The owner*, **SAKATA INX CORP.**, of **100%** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending Application No. **10/519,079** as the term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said Application No. **10/519,079** may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending Application No. **10/519,079**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the Application No. **10/519,079** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said Application No. **10/519,079**, "as the term of any patent granted on said Application No. **10/519,079** may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending Application No. **10/519,079**", in the event that: any such patent: granted on the pending Application No. **10/519,079**: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. **41,441**



Signature

December 15, 2006
Date

Lee C. Wright
Typed or printed name

202-822-1100
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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